

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

|                        |   |  |
|------------------------|---|--|
| LAVERIS TOWNSEND, SR., | ) |  |
|                        | ) | Case No. 1:21-cv-81                    |
| <i>Plaintiff,</i>      | ) |  |
|                        | ) | Judge Travis R. McDonough              |
| v.                     | ) |  |
|                        | ) | Magistrate Judge Christopher H. Steger |
| HUBERT E. HAMILTON,    | ) |  |
|                        | ) |  |
| <i>Defendant.</i>      | ) |  |
|                        | ) |  |

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**ORDER**

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Before the Court is Magistrate Judge Christopher H. Steger’s report and recommendation (Doc. 8) recommending that the Court (1) dismiss this action without prejudice under 28 U.S.C. § 1915(e)(2) and (2) deny as moot Plaintiff’s application to proceed *in forma pauperis* (Docs. 1, 7). No party has timely objected to the report and recommendation.

After reviewing the record and the applicable law, the Court agrees with the magistrate judge’s findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 8) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** as follows: (1) this action is **DISMISSED WITHOUT PREJUDICE**; and (2) Plaintiff’s application for *in forma pauperis* status (Docs. 1, 7) is **DENIED AS MOOT**.

Additionally, the Court observes that Plaintiff has filed three other cases similar to this one, all of which were also dismissed under 28 U.S.C. § 1915(e)(2). *See Townsend et al. v. Hamilton Cnty., Tenn. et al.*, No. 1:19-cv-275 (E.D. Tenn.); *Townsend et al. v. Hamilton Cnty. Gov’t et al.*, No. 1:20-cv-287 (E.D. Tenn.); *Townsend v. Hamilton Cnty. Gov’t*, 1:21-cv-87 (E.D.

Tenn.). Plaintiff is therefore **REFERRED** to the undersigned for consideration for vexatious-filer designation under Standing Order 18-04.

**AN APPROPRIATE JUDGMENT WILL ENTER.**

*/s/ Travis R. McDonough*

**TRAVIS R. MCDONOUGH**

**UNITED STATES DISTRICT JUDGE**